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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,920	07/21/2003	Steven P. Reynolds	35340	5374

116 7590 10/21/2005

PEARNE & GORDON LLP  
1801 EAST 9TH STREET  
SUITE 1200  
CLEVELAND, OH 44114-3108

EXAMINER

TRAN, THUY VAN

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/623,920	REYNOLDS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thuy v. Tran	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/21/03 & 1/19/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Matthews et al. 4,696,375 (submitted IDS).

Matthews '375 discloses a freight elevator landing door assembly comprising a generally rectangular panel (10) (figures 5) that slides vertically for opening and closing movement, a pair of spaced guide rails (12) adapted to be fixed in parallel alignment to the hoistway walls adjacent opposite vertical sides of an opening served by the door panel, the guide rails each having longitudinally extending vertical faces, the door panel having spaced vertical edges adjacent the guide rails and guide elements adjacent said vertical edges for engaging the guide rails so that the door is guided for movement in a vertical plane by said guide rails, a safety brake (20) fixed on the door panel adjacent each of its vertical edges, the safety brake including a caliper block (30, Figures 3 & 4) that extends over opposed vertical faces of the adjacent guide rail and is adapted to be fixed relative to the door, a separate chain for suspending the weight of the door panel adjacent each vertical edge, a wedging element (40) moveable vertically in the caliper block between an inactive position and an active position where it frictionally locks the caliper block and, therefore, the door panel to the guide rail, a biasing spring (66) urging the wedging element to move from the inactive position to the active position, and a control element (60) normally holding the wedge element in an inactive position, the control element being responsive to loss of tension in the chain to release the wedging element and allow it to move to the active position under the influence of the biasing spring.

Re claim 2, wherein the wedging element is a roller cam (40).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkovitz 3,447,637 in view of Abbott 859,718 (submitted IDS).

Berkovitz discloses a freight elevator landing door assembly comprising a generally rectangular panel (27) that slides vertically for opening and closing movement, a pair of spaced guide rails adapted to be fixed in parallel alignment to the hoistway walls adjacent opposite vertical sides of an opening served by the door panel, the guide rails each having longitudinally extending vertical faces, the door panel having spaced vertical edges adjacent the guide rails and guide elements adjacent said vertical edges for engaging the guide rails so that the door is guided for movement in a vertical plane by said guide rails.

Berkovitz does not disclose a safety brake for the landing door.

Abbott discloses a safety brake comprising a wedge element being biased in an inactive position by a spring, a control element being responsive to loss of tension of the lifting member to release the wedge element and allow it to move to active position under influence of the bias spring.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have employed the safety brake for the door system of Berkovitz as disclosed and taught by Abbott in order prevent the door from falling down in the event the lifting chain is broken.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each of the cited reference discloses a wedge safety device.

Art Unit: 3652

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy v. Tran whose telephone number is 571-272-6932. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT (TVT)

  
**EILEEN D. LILLIS**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600